

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Shannon L. Ramsland,  
Petitioner,

vs.

B. Hudson,  
Respondent.

No. CIV 24-360-TUC-CKJ (MAA)

**ORDER**

On October 28, 2024, Magistrate Michael A. Ambri issued a Report and Recommendation (Doc. 11) in which he recommends the Court deny the Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person in State Custody (Non-Death Penalty) ("Petition") (Doc. 1) filed by Petitioner Shannon L. Ramsland ("Ramsland") as Ramsland is not entitled to have "his First Step Act time credits applied to his sentence because he does not have a low or minimum recidivism risk score." R&R (Doc. 11, p. 5).

The Report and Recommendation advised the parties that, pursuant to 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b)(2), any party may serve and file written objections within fourteen (14) days after being served with a copy of the Report and Recommendation. No objections have been filed within the time provided by 28 U.S.C. § 636(b)(1).

A review of the docket indicates the mailing which included the Report and Recommendation has been returned as "refused/unable to forward." Further, as asserted in the Answer and confirmed by a review of the Bureau of Prisons ("BOP") locator, Ramsland is not in BOP custody. The Court has previously advised Ramsland he "must file and serve

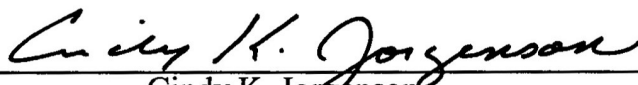
1 a notice of a change of address in accordance with Rule 83.3(d) of the Local Rules of Civil  
2 Procedure. Petitioner must not include a motion for other relief with a notice of change of  
3 address. Failure to comply may result in dismissal of this action." July 29, 2024, Order  
4 (Doc. 3, p.2). As Ramsland has not submitted a Notice of Change of Address, the Court will  
5 review the Petition, Answer, and Report and Recommendation despite the docket not  
6 showing Ramsland has received a copy of the Report and Recommendation.

7 After an independent review, the Court finds it is appropriate to adopt the Report and  
8 Recommendation and deny the Petition.

9 Accordingly, IT IS ORDERED:

- 10 1. The Report and Recommendation (Doc. 11) is ADOPTED.
- 11 2. The Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person  
12 in State Custody (Non-Death Penalty) (Doc. 1) is DENIED.
- 13 3. The Clerk of the Court shall enter judgment and shall then close its file in this  
14 matter.
- 15 4. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, in the event  
16 Petitioner files an appeal, the Court declines to issue a certificate of appealability because  
17 reasonable jurists could not "debate whether (or, for that matter, agree that) the petition  
18 should have been resolved in a different manner or that the issues presented were 'adequate  
19 to deserve encouragement to proceed further'." *See Slack v. McDaniel*, 529 U.S. 473, 484  
20 (2000); *see also Close v. Thomas*, 653 F.3d 970, 974 n. 2 (9th Cir. 2011) ("COA is not  
21 required to appeal the denial of a § 2241 petition filed by a person in federal custody").

22 DATED this 9th day of December, 2024.

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24   
25 Cindy K. Jorgenson  
26 United States District Judge  
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